

Remarks/Arguments:

Claims 17 and 18 are newly added and are supported by the original Patent at Col. 3, lines 62 through Col. 4, line 3. No new matter has been added.

The only claims previously pending in this Application, claims 14 through 16, have been canceled. Thus, the rejection of claims 14 through 16 is rendered moot by the cancelation of those claims.

Claims 14 through 16 were previously rejected under 35 U.S.C. §103 based on the combination of Yoo (U.S. 5,497,240) in view of Horton (U.S. 4,945,563). Horton, Fig. 1, includes billing info circuit 46. Billing info circuit 46 stores and holds billing information and transmits that information to a billing authority at a proper time. Horton at Col. 3, line 61 through 68 states that as an alternative to billing info circuit 46, Horton's cable TV or satellite distribution system can pre-authorize the mode of reception of receiver 20.

Applicant's claim 17 is directed to a server apparatus. As recited in claim 17, Applicant's server apparatus receives information from a subscriber apparatus. The subscriber apparatus provides information to the server apparatus regarding whether an output signal has been provided to a display terminal or a recorder. Applicant's claimed server apparatus also includes a subscriber mode recognizer and a charger which charges a different amount depending upon whether the output signal has been provided to a display terminal or a recorder. Thus, it is the server apparatus which is determining, based on information provided from the subscriber apparatus, which amount should be charged, namely, one amount (for example) when the output signal is provided to the display terminal and another amount (for example) when the output signal is provided to a recorder.

Applicant's claim 17 provides advantages over Horton. First, Applicant's claim 17 provides for Applicant's server to charge a different amount. Thus, Applicant's server does not need this charge determination to be performed by each subscriber. Second, while Horton describes an alternative in which he can eliminate billing info circuit 46, Horton requires, as an alternative, that the mode of reception be pre-authorized (Col. 3, line 64). According to Applicant's claim 17, Applicant charges a different amount based on the information provided to the server apparatus regarding whether the output signal has been outputted to the display terminal or the recorder. Thus, Applicant's claim 17 does not require any type of pre-authorization (although this option may be available).

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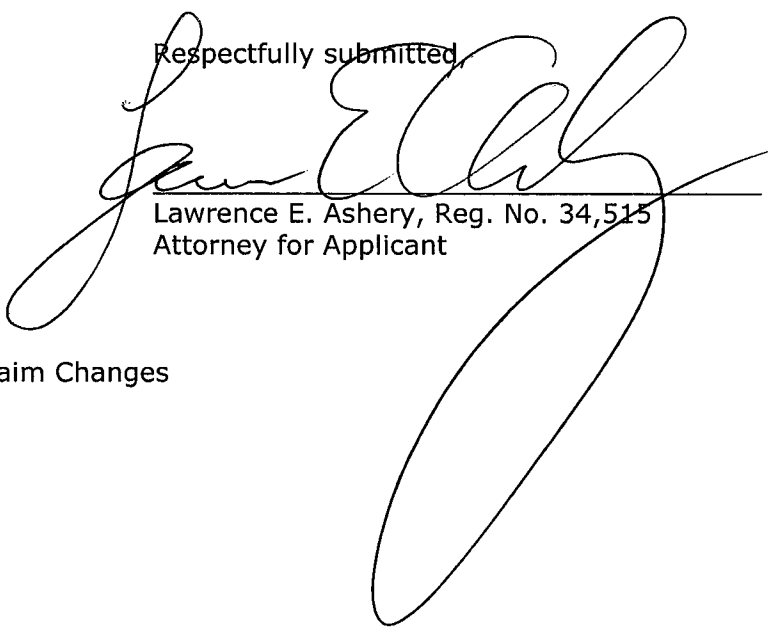
MAT-3720US3

Accordingly, Applicant's claim 17 is patentable over the art of record.

Claim 18 is patentable by virtue of its dependency on allowable claim 17.

This Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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Encl.: Status of Claims/Support for Claim Changes

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Status of Claims/Support for Claim Changes

1. Canceled
2. Canceled
3. Cancelled
4. Canceled
5. Canceled
6. Canceled
7. Canceled
8. Canceled
9. Canceled
10. Canceled
11. Canceled
12. Canceled
13. Canceled
14. Canceled
15. Canceled
16. Canceled
17. Pending: Column 3, line 62 - Column 4, line 3.
18. Pending: Column 3, line 65.